

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-160-C - ORDER NO. 92-388 ✓
MAY 21, 1992

IN RE: Application of Dataphon SC Limited)	ORDER
Partnership and USCOC of South Carolina)	GRANTING
RSA #4, Inc. for a Transfer of Certifi-)	TRANSFER
cate of Public Convenience and Necessity.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application for transfer of Certificate of Public Convenience and Necessity filed on behalf of Dataphon SC Limited Partnership (Dataphon) and USCOC of South Carolina RSA #4, Inc. (USCOC) (collectively, the Applicants). The Application was filed pursuant to S.C. Code Ann., 58-11-140 (1976) and Regulation 103-834 of the Commission's Rules and Regulations. The Applicants seek approval of the transfer from Dataphon to USCOC of a Certificate of Public Convenience and Necessity granted to Dataphon by the Commission in Docket No. 91-648-C, Order No. 92-153.

The matter was duly noticed to the public, and no intervention was received by the Commission. The Applicants submitted an affidavit containing pre-filed testimony and other pertinent information which was stipulated to by the Commission Staff and the Applicants.

Randy H. Jenkins, Director of Partnership Relations and

Regulatory Affairs for United States Cellular Corporation (USCC) provided testimony regarding the Application and the transfer of authority, as well as the description of services it seeks to provide in RSA #4, including the counties of Kershaw, Chesterfield, Darlington, Marlboro, and Dillon. According to the information provided by the Applicants, on December 23, 1991, Dataphon entered into an agreement with USCC pursuant to which USCC agreed to purchase Dataphon's cellular service rights in South Carolina RSA #4 and the related assets of Dataphon. The two companies planned to consummate the purchase between May 19 and June 8, 1992 pending, among other things, this Commission's approval of the Application before it. The Applicants are seeking approval from the Federal Communications Commission (FCC), as well. USCOC is a wholly owned subsidiary of United States Cellular Operating Company which in turn is a wholly owned subsidiary of USCC. USCOC was formed to acquire and operate Dataphon's cellular system in South Carolina RSA #4.

The December agreement also included a management agreement whereby USCC became the manager for Dataphon's cellular system in RSA #4 pending issuance of the certificate to Dataphon and its transfer to USCOC. USCC, then, has been involved in the acquisition of Dataphon's certificate in South Carolina and in its operations in South Carolina to date. A cell site in Darlington was activated in April, 1992. Additionally, USCC has extensive experience in the operation of cellular systems. USCC owns and manages or expects to manage a total of 112 cellular markets

consisting of 34 MSA's and 78 RSA's. As of December 31, 1991, all 34 of the MSA markets and 59 of the RSA markets were operational. Presently, USCC serves more than 115,000 customers and is the ninth largest cellular company in the United States based upon aggregate population equivalents. A copy of USCC's 1991 Annual Report was attached to the affidavit as evidence of the Company's financial strength to meet its obligations under the Certificate of Public Convenience and Necessity for which transfer is sought. The FCC transfer of RSA #4 from Dataphon to USCOC was approved on April 7, 1992.

Based upon the stipulation of the affidavit and related information and upon the Application filed in the matter, the Commission finds that it is in the public interest to approve the transfer of Dataphon's Certificate of Public Convenience and Necessity to provide domestic public cellular radio telecommunications in RSA #4 to USCOC of South Carolina RSA #4, Inc. Additionally, the tariff on file with the Commission of

DOCKET NO. 92-160-C - ORDER NO. 92-388
MAY 21, 1992
PAGE 4

Dataphon should be adopted by USCOC of SC RSA #4, Inc., with the appropriate name changes being made.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)